



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,334	10/03/2003	Armin Denner	4452-576	2557

27799 7590 10/18/2005

COHEN, PONTANI, LIEBERMAN & PAVANE
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

PHAN, HAU VAN

ART UNIT PAPER NUMBER

3618

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/678,334	DENNER ET AL.	
	Examiner	Art Unit	
	Hau V Phan	3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 9-11, 15 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 13 and 17-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

4-

DETAILED ACTION

Acknowledgment

1. The amendment filed on 9/23/2005 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-8, 11-14 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Heyden et al. (6,388,348).**

Heyden et al. in figures 1 and 3, disclose a drive system (10) for a motor vehicle. The drive system comprises a drive shaft (12), a centrifugal mass (24) mounted on the drive shaft for rotation about an axis and being profiled with an axial receiving space. Heyden also discloses an electrical machine (48) comprising a rotor (54) mounted on the centrifugal mass and a stator (46) arranged radially with respect to the rotor. Heyden also discloses a clutch (26) having at least one component spaced radially inward from the electric machine in the receiving space (Notice the electric machine located in front of the clutch in a housing (74). Therefore, the clutch can be considered inward from the electric machine).

Regarding claim 2, Heyden et al. discloses the electrical machine, which is mounted on a side of the centrifugal mass, which is mounted to the drive shaft.

Regarding claim 3, Heyden et al. discloses a housing (74) having at least one part. The centrifugal mass and the electrical machine being arranged in the housing.

Regarding claim 4, Heyden et al. discloses a stator bracket (not number, as shown in figure 1), which attaches the stator to the housing.

Regarding claim 5, Heyden et al. discloses a cooling channel (not number, as shown in figure 1) in the stator bracket.

Regarding claim 6, Heyden et al. discloses the stator bracket bounds the receiving space radially.

Regarding claim 7, Heyden et al. discloses the centrifugal mass comprising a radially inner first area, a radially outer second area, and a third area connecting the first and second areas, which are offset both radially and axially.

Regarding claim 8, Heyden et al. discloses the first area and the third area that bound two sides of the receiving space.

Regarding claim 13, Heyden et al. discloses the clutch comprising a clutch disk (40) arrangement. The clutch disk arrangement comprises the component in the receiving space.

Regarding claim 14, Heyden et al. discloses the clutch comprising an actuating device (as shown in figure 1). The actuating device comprises the component accommodated in the receiving space.

Regarding claim 17, Heyden et al. discloses a diaphragm spring (34), which is accommodated in the receiving space.

Regarding claim 18, Heyden et al. discloses the at least one component comprising at least one torsion damper (36).

Regarding claim 19, Heyden et al. discloses the electrical machine, which is a starter-generator.

Response to Arguments

4. Applicant's arguments filed 9/23/2005 have been fully considered but they are not persuasive. In response to applicant's remark on page 5 that Heyden et al. fail to show a clutch comprising at least one component spaced radially inwards from the electric machine. The examiner disagrees, because Heyden et al. a clutch (26) having at least one component spaced radially inward from the electric machine in the receiving space (Notice the electric machine located in front of the clutch in a housing (74) and in a space between a bolt (30) of a centrifugal mass (24). Therefore, the clutch can be considered inwardly from the electric machine).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 3618

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau V. Phan whose telephone number is 571-272-6696. The examiner can normally be reached on 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christ Ellis can be reached on 571-272-6914. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hau V Phan
10/14/05

Hau V Phan
Primary Examiner
Art Unit 3618